GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

HM&FW Dept – Dr.V.Rama Rao, former CSS, AH, Rampachodavaram, E.G.District – Unauthorised absence from duty – Disciplinary action initiated – Punishment of removal from service imposed – Modification of the punishment to that of compulsory retirement – Orders – Issued.

HEALTH MEDICAL AND FAMILY WELFARE (VC-II-2) DEPARTMENT

G.O.MS.No. 38 **Dated: 16-04-2018.**

Read the following:-

1. From the Commr, APVVP, Procs.Rc.No.VC.II./5774/2002-05, dt.28.05.2002.
2. From the JC (zonal), O/o.Commr, APVVP & IO, Enquiry Report dt.23.02.2005.
3. From Dr.V.Rama Rao, CSS, Representation dt.04.07.2006.
4. G.O.Ms.No.111, HM&FW(VC.II.2) Dept, dt.13.04.2007.
5. From the Hon'ble High Court of AP, Hyderabad, orders dt.12.10.2014 in WP No.18616/2014.
6. From the Hon'ble Supreme Court of India, New Delhi, orders dt.31.01.2017 in SLP(C) No.28202/2015.
7. From the Hon'ble High Court, Hyderabad, Notice dt.24.11.2017 in C.C.No.2443/2017 in W.P.No.18616/2014.
8. Govt.Memo.No.8479/VC.II.2/2007-26, dt.15.12.2017.
9. From the Hon'ble Supreme Court of India, New Delhi, orders dt.23.01.2018 in Review Petition (Civil) No.2884/2017.

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Whereas, on the proven charges of unauthorised absence from 09.10.2002 to 11.03.2004, a punishment of removal from service was imposed against Dr.Dr.V.Rama Rao, former CSS, CHC, Rampachodavaram, E.G. District vide G.O.4th read above.

2. Whereas, aggrieved by the above orders, the individual filed a WP.No.18616/2014 and the Hon'ble High Court, Hyderabad in its orders dt.12.10.2014 in WP.No.18616/2014 has passed the following orders:-

> *"The punishment of "removal from service" can be modified to that of compulsory retirement" making it clear that the period of absence shall not be treated as service rendered by him and he is not entitled for the monetary benefits for his absence for about 3 ½ years and that service cannot be taken as continuity of service, but it can be taken as dies-non for the purpose of reckoning the pensionary benefits."*

3. Whereas, aggrieved by the above APHC orders, Govt. filed SLP and the Hon'ble Supreme Court of India in its orders 6th read above has dismissed the SLP.

4. And whereas, aggrieved by the above orders, Govt. filed a Review Petition before Hon'ble Supreme Court of India and the Hon'ble Supreme Court of India, New Delhi in its orders 9th read above, has dismissed the review petition.

(PTO).

4. After examining the matter in detail, Govt. have decided to modify the punishment of 'removal from service' to that of 'compulsory retirement' against Dr.V.Rama Rao, former CSS, AH, Rampachodavaram, E.G.District duly treating the absence periods from 06.10.2000 to 16.08.2002 and 09.10.2002 to 11.03.2004 as dies-non for the purpose of reckoning the pensionary benefits.

5. The Commissioner, APVVP, Vijayawada shall take further action in the matter.

6. The following notification shall be published in AP Gazette:-

Notification

In exercise of the powers conferred by sub clause IX under rule 9 of AP Civil Services (CCA) Rules, 1991, the Govt. of Andhra Pradesh hereby modify the punishment of 'removal from service' to that of 'compulsory retirement' against Dr.V.Rama Rao, former CSS, AH, Rampachodavaram, E.G.District duly treating the absence periods from 06.10.2000 to 16.08.2002 and 09.10.2002 to 11.03.2004 as dies-non for the purpose of reckoning the pensionary benefits.

POONAM MALAKONDAIAH
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner, Printing, Stationery & Stores Purchase
(Printing Wing) (2Copies) Near Budameru Vanthena, Muthalampadu,
S.N.Puram, Vijayawada - 500011.
(with a request to publish the above notification
in AP Gazette and send Gazette copies to Govt. for record).
Dr.V.Rama Rao, former Civil Surgeon Specialist, Area Hospital,
Rampachodavaram, E.G.Dist. through Commr, APVVP, Vijayawada.
The Commissioner, APVVP, Vijayawada.
Copy to:-
The District Medical & Health Officer, Rajahmundry.
The Secretary, Andhra Pradesh Public Service Commission, Vijayawada.
The Director of Treasury Accounts, Andhra Pradesh at Anjaneya Towers,
Ibrahimpatnam, Krishna District – 521456.
The District Treasury Officer, E.G.Kakinada.
The Accountant General, Andhra Pradesh, Vijayawada / Hyderabad.

//FORWARDED :: BY ORDER//

SECTION OFFICER